HONOURABLE SRI JUSTICE K.C.BHANU

WRIT PETITION No.13820 OF 1999

Dated 5-7-2006

Between:

H. Ramanna, son of Adivappa, resident of Adoni, Kurnool District.

…. Petitioner.

And:

The Government of Andhra Pradesh, represented by its Secretary, Revenue (FF-I) Department, Secretariat Building, Hyderabad.

…Respondent.

ORDER:

This writ petition is filed by the petitioner seeking to direct the respondent to act according to law, by following the order in G.O. Ms. No. 541, Revenue (FF-1) Department dated 27-10-1995, Government of Andhra Pradesh, Hyderabad.

2. According to the petitioner, as per the scheme envisaged in the Swathantra Desik Samman Scheme, the persons are entitled to pension from 15-8-1972 and this Court directed the Government to pay the arrears.

3. A detailed counter-affidavit has been filed stating that the pension has been granted to the petitioner under the A.P. Freedom Fighters Pension Rules but not under the Central Government Scheme and as per the rules, he is eligible to pension from the date of issuance of sanction and therefore, he is eligible to arrears.

4. As per G.O.Ms.No.541, Revenue (FF.I) Department dated 27-10-1995, an amount of Rs.500/- per month was sanctioned to the petitioner on a provisional basis for freedom Fighters' pension under the State Scheme with effect from the date of issue of the orders i.e.

27-10-1995.

5. The relief sought for in the writ petition is that the petitioner is entitled to arrears of pension with effect from 1978 to 1995.

6 Rule 6-A pension of Rs.200/- per mensum shall be payable to an eligible freedom fighter and it shall be payable only from the date of issue of the sanction order to the individual. Such is the case, a direction cannot be issued to the respondent to pay arrears.

7. In the result, the writ petition is devoid of merits and is accordingly dismissed. No costs.

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Justice K.C.BHANU

Dated 5-7-2006
Dvs

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